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05 UNITED STATES DISTRICT COURT
06 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

07 UNITED STATES OF AMERICA,)
08 Plaintiff,) Case No. CR03-0298-TSZ-JPD
09 v.) SUMMARY REPORT OF U.S.
10 RYAN McDUFF ARCHIBALD,) MAGISTRATE JUDGE AS TO
11 Defendant.) ALLEGED VIOLATIONS
OF SUPERVISED RELEASE
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13 An initial hearing on a petition for violation of supervised release was held before the
14 undersigned Magistrate Judge on April 11, 2006. The United States was represented by
15 Assistant United States Attorney Patricia Lally, and the defendant by Mr. Walter Palmer.
16 The proceedings were recorded on cassette tape.

17 The defendant had been charged and convicted of Conspiracy to Distribute Marijuana
18 in violation of 21 U.S.C. § 841(b)(1)(C). On or about January 23, 2004, defendant was
19 sentenced by the Honorable Thomas S. Zilly to a term of twenty-four (24) months
20 imprisonment, followed by three (3) years of supervised release.

21 The conditions of supervised release included the requirements that the defendant
22 comply with all local, state, and federal laws, and with the standard conditions. Special
23 conditions imposed included, but were not limited to, substance-abuse and mental-health
24 treatment participation, consent to search, and financial disclosure.

25 In a Petition for Warrant or Summons dated March 9, 2006, U.S. Probation Officer
26 Brian K. Facklam asserted the following violations by defendant of the conditions of his

01 supervised release:

02 (1) Using cocaine on or before February 20, 2006, in violation of standard
03 condition number 7.

04 (2) Failing to appear for drug testing as summoned on October 7 and November
05 16, 2005, and January 3 and February 23, 2006, in violation of a special condition ordering
06 him to report for drug testing as instructed.

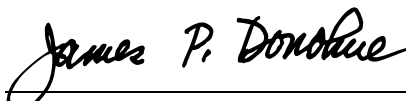
07 (3) Failing to submit monthly reports for September, October, November, and
08 December of 2005, and January of 2006, in violation of standard condition number 2.

09 The defendant was advised of the allegations, and advised of his rights. Defendant
10 admitted to the violations, and waived any rights to an evidentiary hearing as to whether they
11 occurred.

12 I therefore recommend that the Court find the defendant to have violated the terms
13 and conditions of his supervised release as to violations 1, 2, and 3, and that the Court
14 conduct a hearing limited to disposition. A disposition hearing has been set before the
15 Honorable Thomas S. Zilly on April 27, 2006, at 11:30 a.m.

16 Pending a final determination by the Court, the defendant has been released, subject
17 to continued supervision.

18 DATED this 11th day of April, 2006.

19 
20 JAMES P. DONOHUE
21 United States Magistrate Judge

22 cc: District Judge: Honorable Thomas S. Zilly
23 AUSA: Ms. Patricia Lally
24 Defendant's attorney: Mr. Walter Palmer
25 Probation officer: Mr. Brian Facklam
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